

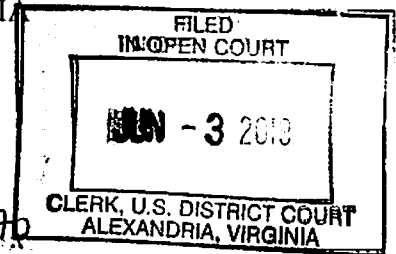
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA,
Plaintiff

v.

ERIC HARTLEY,
Defendant.

Case No. 1:19-CR-170



STATEMENT OF FACTS

The United States and the defendant, ERIC HARTLEY ("defendant"), agree that the following facts are true and correct, and that if this matter had proceeded to trial, the United States would have proven them beyond a reasonable doubt with admissible and credible evidence:

1. Between in or about September 2016 and in or about October 2016, the defendant knowingly and intentionally conspired with at least J.R. to distribute child pornography using the Internet, including but not limited to Dropbox, Inc., in violation of 18 U.S.C. § 2252(a)(2), in Woodbridge, Virginia, within the Eastern District of Virginia.

2. The defendant used various programs to distribute, receive, and view child pornography files. The defendant used at least Kik and Dropbox for these purposes.

3. The files distributed, received or viewed by the defendant included depictions of toddlers and infants engaged in sexually explicit conduct, as well as depictions of sadistic or violent conduct.

4. HARTLEY used Kik to distribute and receive child pornography, including distributing at least 22 images. One of the Kik users that he received and distributed child pornography with was AnotherBigHero, who in real life is J.R. Files that HARTLEY distributed included but were not limited to:

- a. 77d1aa71-72f4-4869-b959-113d3b46cf05.jpg. This file was sent by HARTLEY on 09/15/2016. This file depicted a prepubescent male laying in a bed with an erect penis.
- b. 334c82e3-9743-4230-9412-134e644306a9.jpg. This file was sent by HARTLEY on 09/15/2016. This file depicted a close-up view of a prepubescent male's erect penis.
- c. 03fc0fa9-69ac-4e30-afe3-ff8d0c4d50f0.jpg. This file was sent by HARTLEY on 09/17/2016. This file depicted a prepubescent male with an erection, the focus of the image is on the prepubescent male's penis.
- d. cfa0a958-9e3b-4015-b52d-c6da2cb03c12.jpg. This file was sent by HARTLEY on 09/17/2016. This file depicted a prepubescent male who is completely naked. This prepubescent male is posing with his pelvis and private area pointing toward the ceiling. The prepubescent male has an erection in this image.

5. J.R. used the screen name "td ik" to control various Dropbox accounts that contained child pornography. He shared links to these files with other users, including providing HARTLEY with the account and password to his (J.R.'s) Dropbox account on September 18, 2016. At the time that J.R. shared the password, J.R. and HARTLEY had discussed child pornography and both were aware that the Dropbox account contained child pornography.

6. J.R. and HARTLEY discussed HARTLEY's work as a teacher. For example, on September 16, 2016, HARTLEY, using the screen name Dana19674, sent J.R. a Kik message stating, "I want that exp. It's tough working around these young boys so sexy n their lil body's smooth n legs ahhh I get hard...They think I'm hot n flock my desk – I know some want it – but something I have no clue how to do whatever! BC I don't want my own life ruined n banned from society ect. I would milk myself lol." On the same day, HARTLEY sent J.R. another Kik message stating, "2 boys at school yes! They try to sit by my desk n touch my arm n stuff but I get up n walk away and redirect Ah so tough."

7. This Statement of Facts contains those facts necessary to support the defendant's guilty plea. It does not include each and every fact known to the defendant or to the government and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

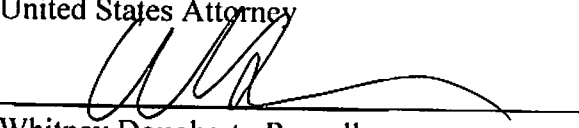
8. The actions of the defendant, as recounted above, were in all respects knowing, voluntary, and intentional, and were not committed by mistake, accident, or other innocent reason.

9. This Statement of Facts shall be admissible as a knowing and voluntary confession in any proceeding against the defendant, regardless of whether the Plea Agreement is presented to or accepted by a court. Moreover, the defendant waives any rights that he may have under Fed. R. Crim. P. 11(f), Fed. R. Evid. 410, the United States Constitution, and any federal statute or rule in objecting to the admissibility of this Statement of Facts in any such proceeding.

Respectfully submitted,

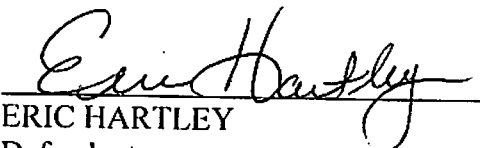
G. Zachary Terwilliger
United States Attorney

By:


Whitney Dougherty Russell
Assistant United States Attorney

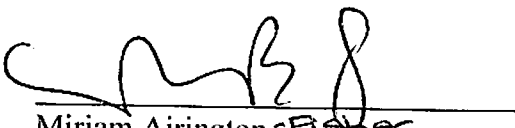
Defendant's Stipulation and Signature: After consulting with my attorney, I hereby stipulate that the above Statement of Facts is true and accurate, and that if the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 5-20-19


ERIC HARTLEY
Defendant

Defense Counsel's Signature: I am the attorney for the defendant in this case. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is informed and voluntary.

Date: 5-20-19


Miriam Airington Fisher
Counsel for the Defendant